

PROB 12C
(7/93)

UNITED STATES DISTRICT COURT

for

WESTERN DISTRICT OF TEXAS

Petition for Warrant or Summons for Offender Under Supervision

FILED

NOV 21 2024

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERKName of Offender: Brandon Lee Nance Case Number: DR-21-CR-01706(1)Name of Sentencing Judicial Officer: Honorable Alia Moses, Chief United States District JudgeDate of Original Sentence: January 30, 2023Original Offense: 8 U.S.C. § 1324 – Conspiracy to Transport Illegal AliensOriginal Sentence: 16 months imprisonment followed by a 3-year term of supervised releaseType of Supervision: Supervised Release Date Supervision Commenced: July 5, 2024Assistant U.S. Attorney: Tyler Andrew Fleming Defense Attorney: Juna Neri, III (AFPD)

PREVIOUS COURT ACTION

No previous Court action.

PETITIONING THE COURT

☒ The issuance of a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	Special Condition: The defendant shall abstain from the use of alcohol and any and all intoxicants.
2.	Mandatory Condition No. 2: The defendant shall not unlawfully possess a controlled substance.
3.	Mandatory Condition No. 3: The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release on probation or supervised release and at least two periodic drug tests thereafter (as determined by the court), but the condition stated in this paragraph may be ameliorated or suspended by the court if the defendant's presentence report or other reliable sentencing information indicates low risk of future substance abuse by the defendant.

On October 23, 2024, while residing at the halfway house, the offender submitted to a random urinalysis test which subsequently tested positive for amphetamine. A confirmation report was requested and subsequently returned positive for methamphetamine. The offender admitted to the use of methamphetamine with a co-worker and signed an admission form for his drug use.

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On November 8, 2024, while residing at the halfway house, the offender submitted to a random urinalysis test which subsequently tested positive for amphetamine. A confirmation report was requested and subsequently returned positive for methamphetamine. The offender admitted to the use of methamphetamine

4. **Special Condition: The defendant shall reside in a residential reentry center for a period of up to six (6) months. The defendant shall follow the rules and regulations of the center. Further, once employed the defendant shall pay 25% of his/her weekly gross as long as it does not exceed the contract rate.**

On November 19, 2024, the director of Dismas Charities Inc., residential reentry center, notified the undersigned probation officer that the offender's placement will be unsuccessfully terminated due to his continued use of methamphetamine. The offender failed to follow the rules and regulations of the center by using drugs .

U.S. Probation Officer Recommendation: The offender began his term of supervised release on July 5, 2024, which is scheduled to end on July 4, 2027. Mr. Gomez is a Criminal History Category III offender, with prior convictions for Indecency With a Child Exposes; Failure to Register as a Sex Offender; and the Instant Offense.

Upon released from incarceration, the offender was placed at Dismas Charities, halfway house, to assist with housing. As evident by his positive drug test results, the offender was unable to abstain from the use of controlled substances and was subsequently unsuccessfully terminated from the center. This issue is deferred to the Court for ruling.

The term of supervision should be

☒ revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release; and payment of any unsatisfied monetary sanction previously imposed)

☐ extended for _____ years for a total term of _____ years

Approved by:



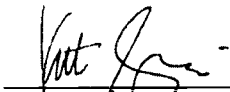
Cynthia A. Sandoval
Supervising U.S. Probation Officer

Respectfully submitted by:



Jorge De Los Santos
Senior U.S. Probation Officer
Telephone: (830) 308-6358
Date: November 21, 2024

Approved:



Katherine M. Gorski
Assistant U.S. Attorney, Del Rio City Chief

cc: Andrew Gonzales
Assistant Deputy Chief U.S. Probation Officer

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THE COURT ORDERS:

- ☐ No action.
- ☒ The issuance of a WARRANT. Bond is set in the amount of \$ Detain cash/surety with supervision by the United States Probation Office to continue as a condition of release.
- ☐ The issuance of a SUMMONS.
- ☐ Other _____



Honorable Alia Moses
Chief United States District Judge

November 21, 2024

Date